

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

Criminal Action No.  
5:16-CR-320

v.

(Hon. David N. Hurd)

STACEY J. LAPORTE, JR.,

STIPULATION  
FOR CONTINUANCE

Defendant.

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Counsel for the above-captioned defendants having moved for a continuance of 90 days within which the parties may review discovery, file motions and prepare for trial in the above-captioned action and Richard S. Hartunian, United States Attorney for the Northern District of New York (Lisa M. Fletcher, Assistant U.S. Attorney, appearing) having consented to the continuance and proposed the exclusion of the additional 90 day period of continuance under the Speedy Trial Act, the parties hereby stipulate and agree as follows:

1. The prior proceedings in this case occurred as follows:
  - a. Date of initial appearance or arraignment: 10/28/16
  - b. Date of indictment: 10/27/16
  - c. Defendants custody status: Pretrial Detention
2. The Court previously ordered the following exclusion under the Speedy Trial Act:

a. Order dated November 22, 2016 excluded the period between and including November 22, 2016 to February 14, 2017.

b. Order dated January 13, 2017 excluded the period between and including January 13, 2017 until April 9, 2017.

3. Defendant has requested the continuance based on the following facts and circumstances:

a. Defense counsel has requested additional time in which to file pretrial motions, continue the review all of the discovery provided and prepare for trial in this matter. The court in communication with the parties has set a firm trial date, and the motion dates have been amended as reflected herein.

4. Accordingly, the parties stipulate and agree that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial because the delay is necessary in order to allow the parties the reasonable time necessary for effective preparation, taking into account the exercise of due diligence (3161(h)(7)(B)(iv)) and because of the nature of the charges it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by this section (3161(h)(7)(B)(ii)).

5. The parties stipulate and agree that the time period from the date of this order, to and including the trial date scheduled by the Court, shall be excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv) and (ii).

The undersigned attorneys affirm under penalty of perjury the accuracy of the facts set

forth above and apply for and consent to the proposed order set forth below.

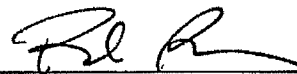
Dated: March 23, 2017

Richard S. Hartunian  
United States Attorney



By: Lisa M. Fletcher  
Assistant U.S. Attorney  
Bar Roll No. 510187

Dated: March 23, 2017



Randi Bianco, Esq.  
Attorney for Stacey Laporte, Jr.  
Bar Roll No. 507514

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UNITED STATES OF AMERICA

Criminal Action No.  
5:16-CR-320

v.

(Hon. David N. Hurd)

STACEY J. LAPORTE, JR., and  
MACKENZIE L. BAILEY,

ORDER FOR  
CONTINUANCE

Defendants.

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A. The Court incorporates into this Order the stipulated facts set forth above and hereby adopts them as findings.

B. The Court has considered its obligation under 18 U.S.C. § 3161(h)(7)(A) to determine whether a continuance serves the ends of justice in a manner that outweighs both the public interest and the defendant's rights. The Court finds that pursuant to 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendants in a speedy trial because this delay is necessary in order to allow the parties the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. (3161(h)(7)(B)(iv))

BASED ON THE STIPULATED FACTS AND THE COURT'S RELATED FINDINGS  
IT IS HEREBY ORDERED:

A. The 90-day period from and including the date of this Order to and including June 19, 2017 shall be excludable in computing time under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

B. The deadline for the completion of discovery by the United States (otherwise due within 14 day of arraignment pursuant to the terms of the Local Rules of Criminal Procedure and the Criminal Pretrial Order) will be extended to April 21, 2017. The deadline for the completion of reciprocal discovery by the Defendant (otherwise due within 21 days of arraignment pursuant to the terms of the Local Rules of Criminal Procedure and the Criminal Pretrial Order) will be extended to April 28, 2017.

C. Any pretrial motions in this case shall be filed on or before March 31, 2017, the Government's response shall be filed on or before April 21, 2017, and any reply by the defendant shall be filed on or before April 28, 2017.

D. The trial in this matter shall begin on June 12, 2017 before United States District Judge David N. Hurd in Utica, New York or, in the alternative, a change of plea shall be scheduled upon request.

Dated: March , 2017  
Utica, New York

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Hon. David N. Hurd  
United States District Judge